IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

WP(C).No. 33013 of 2007(E)

PETITIONER:

P.S.VIKRAMAN ASSARI,
S/O.SARANKARAN ASSARI,S.V.BHAVAN,
ALAMPOTTA, NEYYATTINKARA P.O.,
THIRUVANANTHAPURAM DISTRICT
(BLACK SMITH-RETIRED ,K.S.R.TC,C/W,PAPPANAMCODE)

BY ADV. SRI.ANANDARAJAN.N

RESPONDENTS:

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1. THE KERALA STATE ROAD TRANSPORT
CORPORATION, REPRESENTED BY ITS
MANAGING DIRECTOR, TRANSPORT BHAVAN,
FORT.P.O.,THIRUVANANTHAPURAM-23.

2. THE FINANCIAL ADVISOR AND
CHIEF ACCOUNTS OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN,FORT.P.O.,THIRUVANANTHAPURAM-23.

3. THE ASSISTANT PERSONAL OFFICER (PENSION)
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN,FORT.P.O.,THIRUVANANTHAPURAM-23.

4. THE MECHANICAL ENGINEER,
C/W, PAPPANAMCODE.

BY SC SRI. JOHNSON P. JOPHN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.33013 of 2007

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Dated this the 7th day of November, 2007

JUDGMENT

Petitioner seeks out of turn payment of pensionary benefits citing the marriage of his daughter scheduled to be held on 3.2.2008, which is sought to be proved by Exts.P2 and P3.

2. Heard counsel for the respondents also.

3. Petitioner retired on 31.5.2004 as Black Smith. Even going by seniority payments have been made to persons who have retired upto February, 2004. In such circumstances I think that the amount due as pensionary benefits can be directed to be paid to the petitioner by 10.1.2008.

Accordingly there will be a direction to the first respondent to pay to the petitioner the amount due as DCRG and Commuted Value of Pension on or before 10.1.2008. This is subject to the condition that it will be open to the respondent to retain amounts as are necessary to clear any liability due to the Corporation and also to any creditor of the petitioner under any agreement.

The writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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